

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM WHITAKER,)	
)	
Plaintiff,)	
)	
v.)	02: 06cv0610
)	
HOLY FAMILY SOCIAL SERVICES,)	
)	
Defendant.)	

MEMORANDUM ORDER OF COURT

Presently pending before the Court for disposition is the MOTION FOR RECONSIDERATION filed by Plaintiff, William Whitaker, with brief in support (*Document Nos. 45 and 46*, respectively), and the RESPONSE in opposition filed by Defendant (*Document No. 47*).

Plaintiff asks the Court for reconsideration of the Memorandum Opinion and Order of Court entered February 27, 2008, in which the Court granted the Motion for Summary Judgment filed by the Defendant.

Generally a motion for reconsideration will only be granted if: (1) there has been an intervening change in controlling law; (2) new evidence, which was not previously available, has become available; or (3) necessary to correct a clear error of law or to prevent manifest injustice. *Hirsch Corp. v. Zlotnicki*, 779 F.2d 906, 909 (3d Cir. 1985), *cert. denied*, 47 U.S. 1171 (1986).

Plaintiff continues to advance the same arguments which he made in his original response to the Motion for Summary Judgment and said arguments were previously given due consideration and found not convincing by the Court. A motion for reconsideration is not to be

used as a means to reargue matters already argued and disposed of or as an attempt to relitigate a point of disagreement between the Court and the litigant. Therefore, the Court finds that the arguments raised in the instant motion do not warrant further analytical discussion.

Fatal to the pending motion is that nothing new in law or evidence has been supplemented to the record by the Motion for Reconsideration and no error of law or manifest injustice has been demonstrated.

AND NOW, this 20th day of March, 2008, it is **ORDERED, ADJUDGED, AND DECREED** that the MOTION FOR RECONSIDERATION is hereby **DENIED**.

BY THE COURT:

s/Terrence F. McVerry
United States District Court Judge

cc: David B. Spear, Esquire
Goldman Schafer & Spear
Email: david@gss-law.net

James R. Haggerty, Esquire
Cohen & Grigsby, P.C.
Email: jhaggerty@cohenlaw.com

Shweta Gupta, Esquire
Reed Smith
Email: sgupta@reedsmith.com